

PORT ST. JOE, FLORIDA

FEBRUARY 27, 2009

PUBLIC HEARING

The Gulf County Board of County Commissioners met this date in special session with the following members present: Chairman Nathan Peters, Jr., Vice Chairman Carmen L. McLemore, and Commissioners Billy E. Traylor, Bill Williams, and Warren Yeager.

Others present were: County Attorney Timothy McFarland, Clerk Rebecca L. Norris, Deputy Clerk Kari Summers, and Chief Administrator Don Butler.

Chairman Peters called the Special Meeting to order at 10:08 a.m., E.T.

PUBLIC HEARING M.S.B.U. / SOLID WASTE

County Attorney McFarland discussed the purpose of the Public Hearing is to provide notice of the County's intent to adopt a resolution electing to use the uniform method of collecting certain assessments, stating that the Board has discussed the possibility of having an M.S.B.U. to assist with the landfill. He stated that the Board will be preserving the ability to place an M.S.B.U. assessment on the tax bill should they decide to continue with the M.S.B.U. process. Pursuant to advertisement to hold a public hearing to consider adoption of a resolution electing to use the uniform method of collecting solid waste management services and facilities tax assessments, County Attorney McFarland read the Resolution by title and called for public comment. There being no public comment, and after discussion by members of the Board, Commissioner Yeager motioned to adopt the following resolution. Commissioner Traylor seconded the motion. Julia Cunningham, Chairman of Garbage Committee, appeared before the Board and discussed that the County voted against the M.S.B.U. on Tuesday (for garbage collection) and today they are voting for the M.S.B.U. Commissioner Traylor discussed that the Board is preserving the right to assess the M.S.B.U. not spending the funds. Julia Cunningham recommended that the Board stop forming committees and not accepting their recommendations. Chairman Peters discussed that even though the Board does not always accept the recommendation of the committees, the Board appreciates all the hard work put into this committee, and all committees. After discussion by members of the Board, Ronald Pickett appeared before the Board and discussed that this County needs mandatory garbage pick-up, stating that Cape San Blas is his primary concern as a property manager. County Attorney McFarland discussed that the Board might want to consider making garbage collection mandatory in the tourist corridor areas (Cape San Blas and Indian Pass). Pat Hardman appeared before the Board and discussed that this has been a continuing problem and that it is a health issue at Cape San Blas, Indian Pass and Simmons Bayou. She recommended that the Board review the South Gulf County (District 5) area, including Indian Pass Money Bayou and Simmons Bayou. Commissioner Yeager discussed that he will check into mandatory garbage pick-up along the tourist corridor. Pat Hardman discussed an issue of closing the road at Simmons Bayou which would have a detrimental effect on at least fifteen businesses in the Simmons Bayou area during the tourist season. She discussed

that they requested help on this issue, and the Board has arranged for the construction to take place after Labor Day. After further discussion by members of the Board, the motion passed unanimously.

RESOLUTION NO. 2009-05

A RESOLUTION OF GULF COUNTY, FLORIDA ELECTING TO USE THE UNIFORM METHOD OF COLLECTING SOLID WASTE MANAGEMENT SERVICES AND FACILITIES TAX ASSESSMENTS LEVIED WITHIN THE ENTIRE AREA OF THE COUNTY; STATING A NEED FOR SUCH LEVY PROVIDING FOR THE MAILING OF THIS RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Gulf County, Florida (the "County") is contemplating the imposition of special assessments for the provision of Solid Waste Management Services and facilities pursuant to Section 125, Florida Statutes; and,

WHEREAS, THE County intends to use the uniform method for collecting non-ad valorem tax assessments for the cost of providing Solid Waste Management Services and facilities pursuant to Section 125, Florida Statutes, to property within the entire area of the County as authorized by section 197.3632, Florida Statutes, as amended, because this method will allow such tax assessments to be collected annually commencing in November 2009, in the same manner as provided for ad valorem taxes; and,

WHEREAS, the County held a duly advertised public hearing prior to the adoption of this Resolution, proof of publication of such hearing being attached hereto as Exhibit A.

NOW, THEREFORE BE IT RESOLVED

1. Commencing with the Fiscal Year beginning on October 1, 2009, and with the tax statement mailed for such Fiscal Year and continuing until discontinued by the County, the County intends to use the uniform method of collecting non-ad valorem assessments for the cost of providing Solid Waste Management Services and facilities pursuant to Section 125, Florida Statutes. Such non-ad valorem assessments shall be levied within the entire area of the County. A legal description of such area subject to the assessment is attached hereto as Exhibit B and incorporated by reference.
2. The County hereby determines that the levy of the tax assessments is needed to fund the cost of Solid Waste Management services and facilities pursuant to Section 125, Florida Statutes, within the entire area of the County.
3. Upon adoption, the County Clerk is hereby directed to send a copy of this Resolution by United States mail to the Florida Department of Revenue, the Gulf County Tax Collector, and the Gulf County Property Appraiser by March 10, 2009.
4. This Resolution shall be effective upon adoption.

DULY ADOPTED this 27th day of February, 2009.

(End)

There being no further business and upon motion by Commissioner Traylor, the meeting did then adjourn at 10:40 a.m., E.T.

NATHAN PETERS, JR.

CHAIRMAN

ATTEST:

REBECCA L. NORRIS

CLERK